

## FA SC STMT TEXT

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## 091 01 GENERAL ADMINISTRATIVE REQUIREMENTS "INSTRUCTION"

091 01 001 Are files properly created and maintained? Are files kept in a dedicated file retention area?

Military Justice

Review

Administrative Separations

Investigations

Civil Law

Operational Law

Reference

SECNAV M-5210.2 CHAP 1 PAR 2; MCO 5210.11E PAR 4A

*The inspector must review each section's files ensuring that they are properly maintained in a file retention area. Inspector must ensure file retention area is only accessible to authorized personnel and that the are, when unattended, has the ability of being properly secured. Proper creation of files is further evaluated in question 091 01 002 - 007.*

091 01 002 Does each case file folder have disposal instructions on the outside of the folder? Are case files properly retired/disposed of?

Military Justice

Review

Administrative Separations

Investigations

Civil Law

Operational Law

Reference

SECNAVINST 5210.8D PAR 7C.(5); SECNAV M-5210.1 SECT 1-5

*The inspector should pull no less than 25% of the files for each respective section and ensure that disposal instructions are specific to the SSIC establishing the file. The inspector must be familiar with the nuances associated with disposing/archiving summary courts-martial, non-BCD special courts-martial, involuntary administrative separations and administrative investigations.*

091 01 003 Do all correspondence files use only the last four of SSN?

Reference

SECNAVINST 5211.5E PAR 8A.2

*Although case file markings should only include last four SSN, the inspector should be aware that DD form 458, charge sheets, are still authorized to use entire SSN. This question is specific to the external markings on case files. In responding to this question, the inspector must review files retained by each internal section of the legal office.*

091 01 004 Is all privacy act information disposed of rendering the information unrecognizable when no longer needed?

Reference

SECNAVINST 5211.5E PAR 8B(1)

*The inspector must ensure that each section within the legal office has access to an appropriate shredder. Sections without shredders should be asked how they are disposing PII. This information should be annotated on the checklist. Acceptable alternatives include burning or shredding at an external location.*

091 01 005 Is each file labeled with a standard subject identification code and open/closed dates?

Military Justice

Review

Administrative Separations

Investigations

Civil Law

Operational Law

Legal Assistance

Reference

SECNAV M-5210.2 CHAPS 1 AND 2; SECNAVINST 5210.8D PAR 6D; MCO 5210.11E PAR 4A.(2)(J)

*The inspector must ensure that each section within the legal office is using SSIC codes to establish their correspondence files. Open and close dates are also required as the dates affect disposal and archive procedures.*

091 01 006 Are written internal control procedures (e.g. SOP binders) maintained and updated for each section?

Military Justice

Review

Administrative Separations

Investigations

Civil Law

Operational Law

Administrative Support  
Legal Assistance  
Reference  
TO BE ANNOUNCED

*The inspector should determine if the legal office has section SOPs as well as determining whether or not the legal office has internal control procedures established for file retention.*

091 01 007 Are closed files, more than 2 years old, destroyed in accordance with SECNAVINST 5210.1 (Series)?

Military Justice  
Review  
Administrative Separations  
Investigations  
Civil Law  
Operational Law  
Administrative Support  
Legal Assistance  
Reference

JAGINST 5801.2A paragraph 5-3; SECNAV M-5210.1, SEC 3-5

*Redundant question to 091 01 002; however, the inspector should review files to determine if the legal office has files that are beyond retention standards. If so, the law office should be asked why and if the intent is to destroy all files for that specific year at a specified time.*

*NOTE: administrative investigations are not destroyed; they are archived to the Washington National Record Center located in Suitland, Maryland.*

091 01 008 Are all attorneys licensed and in good standing with a state bar?

Reference

JAGINST 5801.2A PAR 3-2A; JAGINST 5803.1 Rule 8-6

*The inspector should request access to the file or spreadsheet verifying the Certificates of Good Standing. If Certificates of Good Standing or verification cannot be produced, determine why.*

091 01 009 Do the military justice, court reporter, and review sections track cases using CMS? Are other data bases also being used to track cases by any of these sections?

Military Justice  
Court Reporters  
Review  
Reference  
MARADMIN 062/10

*Request for Information question (RFI). MARADMIN 062/10 requires use of the Case Management System; however, the inspector must determine if other systems are also being used to track cases (internal reports or external reports). If so, the inspector must determine what other systems are being used and whether or not the additional systems are being provided to the SJA and/or CA. The inspector should annotate the system and whether or not reports generated are distributed externally.*

*The inspector should also have a POC from each section open up the CMS and review the content to ensure it is current. Current information is considered entries within 48-hours prior to the inspection.*

091 01 010 Are there local control measures in place to ensure access to the CMS data base has been restricted to individuals that require it and are access rosters maintained and updated on a quarterly basis?

Reference

5 U.S.C. § 552A (PRIVACY ACT)

*The inspector should request a list from the LAO, LSC, or OIC of authorized users from their specific organization. If a list is not available, the inspector should determine if there is a system to control access in place and recommend that users (data entry/reviewers) be identified.*

091 02 MILITARY JUSTICE "INSTRUCTION"

091 02 001 Is the information that the military justice section is responsible for entering into CMS accurately reflected in the CMS data base? Does the information in CMS match the information in the files?

Reference

MARADMIN 062/10

*The inspector should request access to 10-25% of active military justice cases and compare the information from the case file with the information reflected in CMS. The inspector should also determine the frequency in which CMS is accessed and information updated by Military Justice personnel.*

091 02 002 Are the following publications with all changes available to military justice personnel?

MANUAL FOR COURTS-MARTIAL 2008

MARCORSEPMAN (MCO P1900.16)

SECNAVINST 1920.6

JAG MANUAL (JAGINST 5800.7)

LEGADMINMAN (MCO P5800.16)

IRAM (MCO P1070.12)

Reference

TO BE ANNOUNCED

*The inspector should ensure that, at a minimum, the Military Justice section has hard copy or electronic access to these publications. Each publication should be current with all changes incorporated. It is appropriate to check and see if changes have been properly incorporated on the "Record of Changes" page in the respective publication where applicable.*

091 02 003 Are charge sheets (DD Form 458) completed in accordance with the MCM?

Reference

APP 4, MCM (2008); RCM 307(DISCUSSION), MCM (2008)

*The inspector should pull at least 25% of the cases from different years (within past two years) and ensure charge sheets are being properly produced. It is appropriate for the inspector to ask the Military Justice Chief and Clerks about their familiarity with changes in law due to higher court opinions and/or changes to MCM articles and procedures since the last inspection.*

091 02 004 What procedures are used to ensure proper pretrial processing of cases? (Checklists, automated sample specifications etc.)

Reference

MCM (2008)

*The inspector should identify in writing what procedures are in place. It would also be appropriate to determine if this information is in an SOP or desk top procedure binder. If no apparent procedures in place annotate how proper processing is ensured.*

091 02 005 Are the Criminal Activity, Disciplinary Infractions and Court-Martial reports done quarterly and submitted to CMC (JAM) as required?

Reference

JAGINST 5800.9B PAR 7

*The inspector should determine if the law office has this requirement. If so, ensure compliance by reviewing the submissions for the past 12-months.*

091 02 006 Is there an Initial Review Officer (IRO) hearing process in place?

Are IROs designated in writing?

Reference

RCM 305, MCM (2008)

*This process is specific to base or station activities. Ask to see written designation letters.*

091 02 007 What procedures are in place to subpoena witnesses and to issue travel orders to witnesses? Is it standardized and clearly understood by paralegal personnel? Note: There is no ability to subpoena outside of the United States.

Reference

RCM 703, APP 7, MCM (2008); JAGINST 5800.7E

***The inspector should require the military justice chief and/or military justice officer to clearly articulate the procedure. Copies of subpoenas should be included in case files or collected and maintained in a separate binder. Ask to see subpoenas for last five courts-martial.***

091 02 008 Are Results of Trial prepared for all SPCM and GCM cases? Do they contain all required information (accurate charges and specifications, correct findings and sentence, clemency recommendations from MJ or members, DNA collection requirement, and automatic forfeitures proper copy to distribution)?

Reference

JAGINST 5800.7E, PAR 0149

***The inspector should review results of trial and determine whether they reflect the appropriate information. The inspector should pull the last 10 Results of Trial.***

091 02 009 Did the law center appoint in writing and by name, a representative to the local Victim and Witness Assistance Council and provide a copy of the appointment letter to the Victim Witness Liaison Officer (VWLO)

Reference

MCO P5800.16A, PAR 6006

***The inspector should review the reference and request presentation of the letter appointing the member in writing.***

091 02 010 Does the law center maintain the data required by DD forms 2702, 2703, and 2704 and the number of victim and witnesses who elected their rights via DD Form 2704?

Reference

MCO P5800.16A, PAR 6006

***The inspector should, (1) determine if the legal office is in compliance; and (2) review the forms collected. It is also appropriate for the inspector to determine if the legal office is aware of the yearly reporting requirements and review what process is in place to collect and forward the numbers/data associated with this yearly reporting requirement.***

091 02 011 Once charges have been preferred does the office identify victims and witnesses and provide each with form DD 2702 in order to notify them of all available rights and services under the Victim Witness Assistance Program?

Reference

MCO P5800.16A, PAR 6006

***The inspector should determine the process in place and whether or not there are copies for review. Legal office personnel should also be aware of privacy concerns when cases involve multiple victims and/or witnesses. The inspector should ensure that the legal office is redacting personal information of other victims/witnesses prior to presentment to another.***

091 02 012 Does trial counsel ensure that victims are informed and aware of

their right to act in an advisory capacity in decisions that involve prosecutorial discretion, such as plea-bargaining?

Reference

MCO P5800.16A, PAR 6006

*The Inspector should ask the military justice officer or trial counsel if this information is being articulated to victims. If a checklist is in use, verify this information is contained on the checklist.*

091 02 013 At the conclusion of courts martial resulting in conviction, does trial counsel provide victims and witnesses with a post trial information for victims and witnesses form (DD form 2703)?

Reference

MCO P5800.16A, PAR 6006

*The inspector should determine the process, including the process to ensure delivery of the DD Form 2703 if witnesses or victims are not in the local area or present when the court-martial adjourns and review copies of the documents, if available (note: copies should be maintained and available for review by inspector).*

091 02 014 For courts martial resulting in confinement for the accused (including Summary Courts martial) did the trial counsel prepare DD form 2704 (Victim/Witness Certification and Election Concerning Inmate Status) and provide a copy to the confinement facility, the responsible VWAC, and all victims and witnesses whose entitlement to receive the information has been certified by the trial counsel?

Reference

MCO P5800.16A, PAR 6006

*The inspector should review the process, ensure forms are being presented to appropriate organizations/representatives and that privacy information of others, if required, is being properly redacted prior to presentment to each victim/witness, if applicable.*

#### 091 03 COURT REPORTERS "INSTRUCTION"

091 03 001 Is the information that the court reporter section is responsible for entering into CMS accurately reflected in the CMS data base? Does the information in CMS match the information in the files?

Reference

MARADMIN 062/10

*The inspector should discuss the data entry and review current cases with court reporter chief to determine accuracy of entries. Pull current active cases and at least 10 cases that have been processed through the court reporters to the review section. This may require coordination with the review chief to accomplish.*

091 03 002 What proofing/editing procedures are in place in order to ensure that accurate records of trial are produced?

Reference  
MCM (2008)

***Request for Information (RFI) Question. The inspector should detail procedures in writing on the AIRS checklist.***

091 03 003 Are records of trial prepared in accordance with Appendices 13 and 14 of the Manual for Court Martial?

Reference  
MCM (2008) APP 13 AND 14

***The inspector should discuss the procedures with the court reporter chief and verify with review officer/chief that records of trial are prepared correctly. Pull at least five (5) cases, per calendar year, that were processed through the court reporter section to the review section after February 2010.***

091 03 004 Is there a system present to retain, track, and retrieve notes, stenographic or otherwise, and any recordings, mechanic or voice, from which the record of trial was prepared until such time as post trial review is final?

Reference  
JAGINST 5800.7E, PAR 0150; MCM (2008) R.C.M. 1103(A)(B)

***RFI Question. The inspector should review the system and detail the procedures in writing on the AIRS checklist.***

091 04 POST TRIAL MATTERS "INSTRUCTION"

091 04 001 Is the information that the review section is responsible for entering into CMS accurately reflected in the CMS data base? Does the information in CMS match the information in the files?

Reference  
MARADMIN 062/10

***The inspector should discuss data entry with the review officer/chief. Review current active cases and compare entries with material from the record. The inspector should pull 10% of cases completed after February 2010.***

091 04 002 Are post trial records forwarded to NAMARA within specified processing times? Did CA's action take place within 120 days of the date of trial? Are cases docketed at NAMARA within 30 days of CAs action?

Reference  
U.S. V. MORENO, 63 M.J. 129 (CAAF 2006)

***The inspector should review current CMS entries and determine if the 120 day time line is being met. The inspector may not be able to determine whether or not NAMARA is docketing cases within 30-days. Only item legal office is responsible for is ensuring post trial records***



*forwarded and CA's action taken within 120 days. If the inspector determines that a case did not meet the 120 time line, the inspector must review each case remarks contained in CMS to determine the reasoning and annotate that on the AIRS checklist (i.e. JONES SPCM, DOT 12/15/2009, CA's action taken 142 days from DOT. Delay caused by request from DC for additional days to submit matters and post trial 39a for clarification on findings). SEE 091 04 008 BEFORE A FINDING DETERMINATION IS MADE WITH REGARD TO CA'S ACTION NOT TAKING PLACE WITHIN 120 DAYS. IF 091 04 008 IS COMPLIED WITH, THEN A FINDING MAY NOT BE MADE IN THIS AREA. CMS REVIEW MUST INCLUDE REMARKS AS TO WHY CASE IS BEYOND 120 TIME LINE.*

091 04 003 Are Results of Trial produced by the Trial Counsel and provided to the Review Section upon final adjournment of a court-martial?  
Reference  
JAGINST 5800.7E, PAR 0149

*The inspector should determine if this is occurring and view how the results of trial are being collected by the review section. The inspector should compare results of trial with the record of trial for accuracy. (For accuracy purposes, the inspector should review at least 10 courts-martial completed after February 2010).*

091 04 004 Are all General, Special, and Summary Courts-Martial Records of Trial properly prepared and assembled?  
Reference  
MCM (2008), R.C.M. 1103 AND APP 13, 14 AND 15

*The inspector should review a sample of each type for each calendar year on file.*

091 04 005 Is the Review Section using DD Form 490 as a guide to ensure proper assembly of Special and General Courts Martial records of trial?  
Reference  
MCM (2008) APP 14

*RFI Question. Ensure DD Form 490 is being used. DD Form 490 should also be the last page (normally blue in color) in the record of trial.*

091 04 006 Are verbatim and summarized Records of Trial being properly and timely routed for authentication and then forwarded to the defense counsel, SJA and CA?  
Reference  
MCM (2008) R.C.M. 1104, 1105, AND 1106

*The inspector can utilize CMS reports generated since February 2010 by review officer/chief to determine if records are timely. Review entries, dates, and overall Moreno clock days. If more than 120 days, ensure that remarks capture why a case is more than 120 days (Remand, etc..)*

091 04 007 Are appropriate records of trial sent directly to the Navy-Marine Corps Appellate Review Activity (Code 40), 1254 Charles Morris Street, SE, Suite B01, Washington Navy Yard, D.C., 20374-5124 via the most

expeditious means (e.g., Express mail, Federal Express, or similar means)?

Reference

JAGINST 5800.7E, PAR 0153

***The Inspector should determine the process (U.S. Mail, Express, etc..) and annotate on the checklist.***

091 04 008 In cases where the CA did not take action within 120 days from the date of trial, did the CA provide the reasons for the delay in writing to CMC (JAM) with a copy appended to the record of trial?

Reference

JAGINST 5800.7E, PAR 0151 AND 0154

***The inspector should request to see from the review officer/chief cases that took more than 120 days and evaluate whether this is occurring.***

091 04 009 If the sentence, as approved by the CA, includes an unsuspended punitive discharge, dismissal, or confinement for 12 months or more, is there a process to ensure one of the copies of the CAA is forwarded to the Director, Naval Council of Personnel Boards, Attn: Naval Clemency and Parole Board, 720 Kennon Street, SE, Room 309, Washington Navy Yard, DC 20374-5023?

Reference

JAGINST 5800.7E, PAR 0153

***RFI Question. The inspector should determine if there is a process in place and annotate on the checklist.***

091 04 010 Are all SPCM records of trial not requiring review under Article 66, UCMJ (1) reviewed under Article 64 and 66, UCMJ; and (2) retained for a period of two years after that review?

Reference

JAGINST 5800.7E, PAR 0154 AND 0162

***The inspector should review retained files and ensure appropriate Judge Advocate Reviews were completed. Inspector should review a minimum of 25% of the records from the previous two years.***

091 04 011 Are all SCM records of trial (1) reviewed under Article 64, UCMJ; and (2) retained for a period of two years after final action?

Reference

JAGINST 5800.7E, PAR 0154

***The inspector should review retained files and ensure appropriate Judge Advocate Reviews were completed. Inspector should review a minimum of 25% of the records from the previous two years.***

091 04 012 Are Summary Courts-Martial and Non-BCD Special Courts-Martial being properly retired? (After two years, original records of proceedings being transferred to the National Personnel Records, Military Personnel Records, General Administration, 9700 Page Boulevard, St. Louis, MO 63132-5100).

Reference

MCM (2008); JAGINST 5800.7E, PAR 0154;  
SECNAV M-5210.1 PAR 5813.3

*The inspector should ensure the process is understood and check for transmittal forms for boxes sent for archiving and should also determine if the review section currently has boxes pending retirement.*

091 04 013 What process is in place to ensure CAA is taken in a timely manner in every court-martial? Does the section use a checklist? How often is CMS reviewed and at what level?

Reference

MARADMIN 062/10;  
U.S. v. Moreno, 63 M.J. 129 (CAAF 2006)

*RFI Question. The inspector should determine if there is a process in place and annotate what the process is on the checklist. If a checklist is used, ask for a copy of the checklist and attach to the AIRS checklist.*

091 04 014 In cases which result in an acquittal on all charges and specifications, was a promulgating order prepared which indicated that the case resulted in an acquittal and included the charges and specifications, and findings, and was it signed by the convening authority?

Reference

JAGINST 5800.7E, PAR 0155; RCM 1114, MCM (2008)

*The inspector should review the case file of acquittals (from the past two years) to determine if the findings were promulgated correctly.*

091 05 ADMINISTRATIVE SEPARATIONS "INSTRUCTION"

091 05 001 Is the LSSS/JLC processing or supervising processing of all involuntary administrative separations?

Reference

MCO P1900.16F, PAR 6308

*RFI Question. Yes/No. Does the law office support NON-GCMCA separation authorities and, if so, do they have a process in place to ensure that involuntary administrative discharges from those units are compliant with the MARCORSEPMAN? Annotate the response on the AIRS checklist.*

091 05 002 Does the Law Center/LSSS have a complete file copy of each administrative separation processed during the past 2 years?

Reference

SECNAV M-5210.1 SEC 3-5

*The inspector should review files for completeness following the guide below in question 091 05 003. The inspector should pull 10% or at least 15 administrative separations from each of the past two years to make this determination. Ensure that cases pulled reflect different bases for separation.*

091 05 003 The following questions apply to each administrative separation file for the past 2 calendar years:

- a. Is the Separation Authority final action in the package?
- b. Is there a signed and dated notification in the package? Does the notification contain additional rights/notice for special circumstances such as "in the hands of civilian authorities," "naturalized citizens and "pay grade reduction" if required?
- c. Is there a signed and dated acknowledgement in the package?
- d. Is there a signed and dated BCNR advisement form?
- e. Is a copy of the right side of the SRB included?
- f. Is there a 3270 printout of the SNM's BIR/BTR/ROS/EDU/AWDS?
- g. Are copies of evidence included: (PTSD evaluations, BCP/Weight Control failure-weekly weigh-ins, copy of D113 from 3270, UPB's, investigations, 6105's, etc)?
- h. Are all enclosures included in the package?
- i. If there was a board held, is there a summarized transcription of witness testimony?
- j. If there was a board held, does the file contain the findings and recommendations worksheet with members' signatures?
- k. If there was a board conducted, has the report of the board been authenticated by both the recorder and Senior Member (or another member in the SrMbr's absence)?
- l. Are all government exhibits included in the board report?
- m. Are all counsel for respondent exhibits included in the board report?

Reference

SECNAV M-5210.1 SEC 3-5; MCO P1900.16F CHAP 6

**SEE IN QUESTION 091 05 002.**

091 05 004 Are the following publications current with all changes and available to administrative law personnel either in hard copy or electronically?

MANUAL FOR COURTS-MARTIAL (2008)  
MARCORSEPMAN (MCO P1900.16)

SECNAVINST 1920.6  
JAG MANUAL (JAGINST 5800.7)  
LEGADMINMAN (MCO P5800.16)  
IRAM (MCO P1070.12)  
MILPERSMAN (NAVPERS 15560D)  
DOD DIRECTIVE 1332.14  
Reference  
TO BE ANNOUNCED

*The inspector should review either hard copy or electronic version and ensure publications and directives are current. It is appropriate to review the "Record of Change" page in each publication.*

091 05 005 Have all CID and NCIS investigations been removed from administrative separation packages before submission to MMSB-20?  
Reference  
MCO P1900.16F, PAR 6305.2D

***RFI Question.***

091 06 INVESTIGATIONS "INSTRUCTION"

091 06 001 What types of investigations does the office track and file:

- Line of Duty/ Misconduct?
- Death?
- Serious Incident?
- Litigation Report?
- Aircraft Mishap?

Reference  
JAGINST 5800.7E, CHAP 2, APP K, L, M and N

***RFI Question. Additionally, the inspector should determine if the office has a tracking system or report in place.***

091 06 002 How many investigations were reviewed in the last 12 months? How many investigations were not reviewed?  
Reference  
MCO P5800.16A, CHAP 8

***The Inspector should determine how many investigations were reviewed in the legal office and attempt to determine how many investigations were never formally routed or informally presented for review. If unable to determine how many not reviewed, so state.***

091 06 003 Does the command have a procedure in place to ensure legal review of investigations by the cognizant SJA? Does the LSSS/JLC maintain an investigations checklist?

Reference

JAGINST 5800.7E, CHAP 2, PAR 0209, 0210 AND APPS K – Z

*The inspector should determine the process in place to ensure legal review is conducted by the cognizant SJA. For legal offices that do not review investigations, the answer is N/A. For legal offices that conduct reviews, ask for presentation of the checklists used (NJS Guide, etc..).*

091 06 004 Has the legal office developed plans and procedures to ensure that supported commands do the following:

- a. That commands comply with the prescribed time limits for completion, forwarding and review of JAGMAN investigations; Ref: JAGINST 5800.7E, PAR 0203, 0209 and 0225
- b. That commands are aware of the proper appointing order and investigation report formats; Ref: JAGINST 5800.7E, CHAP 2, APP C, D, E, F, and G
- c. That commands are familiar with the proper use of Privacy Act statements and that Privacy Act matters are protected and processed properly; Ref: JAGINST 5800.7E, APP H
- d. That commands notify the HQMC casualty assistance office when it initiates an LOD death investigation; Ref: JAGINST 5800.7E, PAR 0225; MARADMIN 592/07
- e. That commands properly give Article 31, UCMJ, warnings to persons who are suspected of an offense, misconduct, or improper performance of duty; Ref: JAGINST 5800.7E, PAR 0207
- f. That commands are aware of the circumstances when line of duty/misconduct determinations are required; Ref: JAGINST 5800.7E, PAR 0212
- g. That injured service members are being advised about statements regarding origin of disease or injury; Ref: JAGINST 5800.7E, PAR 0212c.
- g. That commands are making appropriate entries to the medical/dental records regarding line of duty determinations; Ref: JAGINST 5800.7E, PAR 0212
- h. That commands are aware of how line of duty/misconduct determinations are recorded; Ref: JAGINST 5800.7E, PAR 0222

i. That commands are aware of the special requirements in death case investigations; Reference: JAGINST 5800.7E, PAR 0225

j. That commands are aware of the procedures to follow when there is a claim or potential claim for or against the government; Ref: JAGINST 5800.7E, CHAP 8; MCO P5800.16A, CHAP 13

k. That commands are aware of the special routing requirements for investigations that are convened to inquire into the loss, compromise, or possible compromise of classified information; Ref: JAGINST 5800.7E PAR 0209G.(7); SECNAV M-5510.36 CHAP 12

l. That commands are familiar with the requirements regarding the DoD Homosexual Conduct policy and investigations conducted pursuant to that policy; Ref: MCO P1900.16F; DODIs 1332.14 and 1332.30  
Reference

MCO P1900.16F CHAP 6; JAGINST 5800.7E CHAP 2; DODIs 1332.14 and 1332.30

***RFI Question.***

091 06 005 For Command Investigations and Preliminary Inquiries, do the reviewed investigations contain the required information per Chapter 2 of the JAGMAN?

Reference

JAGINST 5800.7E CHAP 2 PAR 0203 – 0209

***The inspector should review investigation records that are maintained by the respective legal office to determine if the records meet minimum requirements of the reference. At a minimum, the inspector should pull at least 25% of the investigations from the previous two calendar years.***

091 06 006 For Command Investigations and Preliminary Inquiries are copies of investigations into the following types of incidents forwarded to the appropriate agency code:

- Extensive media coverage [N09C or CMC (JA)]
- Training incidents causing death or serious injury [N7 or CMC(JA)]
- Operational incidents causing death or serious injury [N3/5 or CMC(JA)]
- Incident involving fraud, waste, or abuse or significant shortages of public property or funds [N09G or CMC (CL)]
- Incidents involving lost, missing, damaged, or destroyed property

of significant value [N09G or CMC (CL)]

- Incidents involving officer misconduct [N1 or CMC (JAM)]
- Incidents that are required to be reported to Headquarters by other directives or regulations, as appropriate
- Incidents or investigations that may require action by CNO or CMC (MHP-50)
- Cases involving significant postal losses or offenses [N4 or CMC Reference  
JAGINST 5800.7E, PAR 0209G(7)]

*The inspector should review the types of investigations and make the appropriate determination as to whether or not routing requirements were met. SJA offices and Law Centers should be able to articulate the procedures for routing cases, including tracking and ensuring delivery. SJA offices and law centers should be able to provide the inspector with insight over high profile investigations. If unable to determine whether packages were routed for the above specific types of cases, so state.*

091 06 007 Is a record of disclosure form attached to each JAGMAN investigation where personal information is contained pertaining to an individual of the record? (Placed on inside cover)  
Reference  
JAGINST 5800.7E PAR 0207E  
SECNAVINST 5211.5E PAR 10

091 06 008 Were there any litigation report investigations reviewed in the last year? If yes, then how many?  
Reference  
JAGINST 5800.7E, PAR 0210

***RFI Question.***

091 06 009 For Litigation reports, was the investigating officer appointed in writing and did the convening order identify a cognizant Judge Advocate?  
Reference  
JAGINST 5800.7E, PAR 0210

*The inspector should review at least 25% of the litigation report appointing order for the current and past two calendar years to determine if this requirement was met. If less than 10 per year, the inspector should review all litigation reports that are present.*

091 06 010 Was the completed litigation report compliant with the JAGMAN?  
Reference



JAGINST 5800.7E, PAR 0210

*The inspector must work with the reviewing authority to determine the process that is in place to review all litigation reports. Once the inspector established that a process is place, the inspector should review 10% of the investigations over the past two calendar years. During this review, the inspector must be able to establish that the reports meet the guidelines of the reference.*

091 06 011 Were the original and a copy of the litigation report forwarded to the Office of the Staff Judge Advocate General, Tort Claims Unit 9620 Maryland Ave, Norfolk, VA via the Staff Judge Advocate of the GCMCA?  
Reference  
JAGINST 5800.7E, PAR 0211

*RFI Question. Yes/No. The inspector should review 10% of the litigation reports completed over the past two calendar years to determine if this requirement was met.*

091 06 012 Were any courts or boards of inquiry convened? How many?  
Reference  
JAGINST 5800.7E, PAR 0211

*RFI Question. Yes/No.*

091 06 013 Did the court of inquiry comply with appropriate procedures?  
Reference  
JAGINST 5800.7E, PAR 0211 AND JAGINST 5830.1 ENCL (1)

## 091 07 CLAIMS

091 07 001 Does the office process or assist in the processing of claims?  
Reference  
JAGINST 5800.7E, CHAP 8, MCO P5800.16A CHAP 13

*RFI Question. Yes/No. If not, can the legal office identify who does?*

091 07 002 Does the claims officer provide claims forms, advise where the forms should be filed, and inform the requestor of the type of substantiating information required?  
Reference  
JAGINST 5890.1A PAR 3B(3)

*Yes/No Question; however, the inspector should detail the process on the AIRS checklist.*

091 07 003 For claims under the Federal Tort Claims Act and the Military Claims Act, did personnel ensure that the Standard Form 95 (Claim for Damage, Injury) was properly completed?  
Reference

MCO P5800.16A CHAP 13  
JAGINST 5890.1A ENCLS (1) AND (2)

*The inspector should review applicable files and determine if this requirement was met. The inspector should examine 25% of applicable files completed over the past two calendar years.*

091 07 004 For Federal Tort and Military Claims Act claims, did personnel verify that the claims were sent to the Tort Claims Unit at Norfolk, Virginia?  
Reference  
JAGINST 5890.1A ENCLS (1) AND (2)

*The inspector should review files available to ensure compliance and also determine how legal office personnel verify that this is accomplished, including tracking and delivery.*

091 07 005 For claims under the Personal Claims Acts, were DD Forms 1840 and 1842 properly completed and signed by the claimant or by a duly authorized agent?  
Reference  
JAGINST 5890.1A ENCL (6)

*The inspector should review applicable files and determine if this requirement was met. Inspector should examine 25% of applicable files over the past two calendar years.*

091 07 006 Were claims under the Personal Claims Acts submitted to Headquarters, U.S. Marine Corps or the appropriate agency of the claimant?  
Reference  
SEE, CLAIMS PAGE ON MANPOWER SITE  
[https://www.manpower.usmc.mil/portal/page?\\_pageid=278,1938231&\\_dad=portal&\\_schema=PORTAL](https://www.manpower.usmc.mil/portal/page?_pageid=278,1938231&_dad=portal&_schema=PORTAL)

*The inspector should have the SJA office or Law Center articulate procedures for tracking and ensuring delivery and annotate on the AIRS checklist.*

091 07 007 Did personnel verify that the claim was presented in writing within 2 years after the claim arose?  
Reference  
JAGINST 5890.1A ENCL (6)

*The inspector should review applicable files to ensure that claims were submitted within the two year timeline. Inspector should examine 25% of applicable files over the past two calendar years. NOTE: SF 95 and DD Form 1842 should be marked "RECEIVED" with the actual date received.*

091 07 008 Did personnel verify that the Standard Form 91 (Report of Motor Vehicle Accident) was completed when the claim involved an accident of a Government motor vehicle and a copy attached with the claim?  
Reference

JAGINST 5890.1A ENCL (6)

*The inspector should review applicable files to ensure compliance. Inspector should examine 10-15% of applicable files over the past two calendar years.*

091 07 009 Did personnel determine if a litigation report was completed if required?

Reference

JAGINST 5800.7E, PAR 0210

JAGINST 5890.1A ENCL (6)

*The inspector should review applicable files, determine compliance, and determine how claims personnel knew when a litigation report is required.*

091 07 010 Did personnel determine that proper documentation was submitted for death claims, personal injury claims, and property damage claims?

Reference

JAGINST 5890.1A ENCLS (1), (2) AND (6)

*The inspector should review applicable files, determine compliance, and determine how claims personnel knew what documentation was required.*

091 08 RELEASE OF GOVERNMENT INFORMATION "INSTRUCTION"

091 08 001 Are the following publications with all changes available to Civil Law personnel?

DOD 5400.11-R

SECNAVINST 5211.5E

DOJ FREEDOM OF INFORMATION ACT GUIDE

DOD 5400.7-R

SECNAVINST 5720.42F

Reference

To Be Announced

*The inspector should determine availability and whether or not the publications are current. It is appropriate to review the "Record of Change" page for applicable directives.*

091 08 002 Have civil law personnel established appropriate administrative, technical and physical safeguards to ensure security and confidentiality of records?

Reference

DOD 5400.11-R; SECNAVINST 5211.5E PAR 7M(1)

*RFI Question. The inspector should annotate what safeguards are in place on the AIRS checklist.*

091 08 003 Are civil law personnel familiar with FOIA/Privacy Act processing requirements?  
Reference  
DOD 5400.7-R (ENTIRE MANUAL); SECNAVINST 5720.42F (ENTIRE MANUAL)

*RFI Question. The inspector should annotate the process asking civil law personnel who the IDA is for the requests processed.*

091 08 004 Has initial denial authority been delegated in writing?  
Reference  
SECNAVINST 5720.42F PAR 6E(6)

*RFI Question. The inspector may have to review letter or unit staff regulations to make this determination. Civil law personnel should be able to produce this answer.*

091 08 005 How many FOIA requests were reviewed in the preceding 12 months?  
Reference  
SECNAVINST 5720.42F PAR 16

*RFI Question.*

091 08 006 How many requests for release of official information for litigation (official testimony and subpoena requests) did the office receive in the past 12 months?  
Reference  
JAGINST 5800.7E, CHAP 5, SUBSECT C

*RFI Question.*

091 08 007 Are civil law personnel familiar with forwarding responsibilities when requests for different types of official information for litigation are received?  
Reference  
JAGINST 5800.7E, CHAP 5, SUBSECT C

*Yes/No Question. It is appropriate for the inspector to ask personnel to identify examples of requests for different types of official information for litigation that have been received by the office.*

091 08 008 Are civil law personnel familiar with the requirements for, and restrictions on, release of official information outside of the Department of the Navy without a court order?  
Reference  
SECNAVINST 5820.8A PAR 4A AND ENCLS (2) - (7)

***RFI Question. The inspector should ask civil law personnel what the requirements are and annotate their working knowledge of the reference on the AIRS checklist.***

091 08 009 Are civil law personnel familiar with the procedures for processing subpoenas against Marines from authorities in-state, out of state, and outside of the United States?

Reference

SECNAVINST 5820.9A PAR 4; JAGINST 5800.7E CHAP 6; MCO P5800.16A CHAP 10

***RFI Question. The inspector should ask civil law personnel what the procedures are and annotate their working knowledge of the references.***

091 09 ETHICS "INSTRUCTION"

091 09 001 Are the personnel providing ethics advice those authorized to do so?

Reference

MCO P5800.16A CHAP 11

***RFI Question. The inspector should ask the OIC/SJA of the judge advocates providing advice to provide proof that personnel are authorized to do so.***

091 09 002 Has the command had any ethics-related reviews, audits or investigations by OGE, DoD or DON in the past 12 months?

Reference

DOD 5500.7-R CHAP 1; MCO P5800.16A CHAP 11

***RFI Question. The Inspector should also document how many were completed.***

091 09 003 Does the ethics counselor conduct regular ethics training?

Reference

MCO P5800.16A CHAP 11

***RFI Question. The inspector should determine how and when ethics training was conducted and who received the training. The inspector should ask to see the training schedule and/or the training material (slides, etc...).***

091 09 004 Does the ethics counselor track filing of SF 278s? Is this tracking procedure effective?

Reference

DOD 5500.7-R CHAP 7; MCO P5800.16A CHAP 11

***RFI Question. The inspector should review retained SF-278 forms.***

091 09 005 Are SF 278s initially reviewed by the ethics attorney within 60 calendar days of receipt of the completed form?

Reference

DOD 5500.7-R CHAP 7; MCO P5800.16A CHAP 11

*The inspector should review retained SF-278 forms and compare review date with completion date of the form.*

091 09 006 Are conflicts of interest identified in SF 278s handled in accordance with the reference?

Reference

DOD 5500.7-R CHAPS 5 AND 7; MCO P5800.16A CHAP 11

*The inspector should determine whether there have been any conflicts identified and if so, what steps were taken and whether or not they were in accordance with the applicable regulations. The SJA should be able to discuss this information in depth.*

091 09 007 Does the ethics counselor ensure that SF 278 files complete the annual post-employment certification required by JER 8-400?

Reference

DOD 5500.7-R CHAP 7; MCO P5800.16A CHAP 11

*The inspector should review and ensure compliance.*

091 09 008 Has the ethics counselor checked the OGE Form 450 criteria to ensure that those individuals required to file OGE Form 450 have been identified?

Reference

DOD 5500.7-R CHAP 7; MCO P5800.16A CHAP 11

*The inspector should request a copy of any documentations (lists, billets) that the ethics counselor has identifying individuals required to file OGE Form 450.*

091 09 009 Are the OGE Form 450s properly filed and maintained for those individuals required to file?

Reference

DOD 5500.7-R CHAP 7; MCO P5800.16A CHAP 11

*The inspector should request access to the retained files.*

091 09 010 Is there a tracking system in place to identify command personnel who are required to complete annual ethics training?

Reference

DOD 5500.7-R CHAP 7; MCO P5800.16A CHAP 11

*The ethics counselor must be able to provide the inspector with information identifying personnel required to be trained.*

091 09 011 Does the ethics counselor track all reportable gifts of travel and general gift fund reportable gifts?

Reference  
DOD 5500.7-R CHAP 4; MCO P5800.16A CHAP 11

*RFI Question. The inspector should detail how this is tracked. The inspector should also determine what guidance is provided and how it is presented to the member.*

091 10 LEGAL ASSISTANCE "INSTRUCTION"

091 10 001 Do all personnel exercising notarial authority maintain a notary log, recording, at a minimum, the date, name of client, and document notarized?

Reference  
JAGINST 5801.2A, PAR 3-3

**\*\*Redundant item (different reference)**

091 10 028 Do all personnel exercising notarial authority maintain a notary log, recording, at a minimum, the date, name of client, and document notarized?

Reference  
JAGINST 5801.2, PAR 7-2E

*The inspector should review all notary logs maintained by the legal assistance office and determine compliance. The inspector should also determine if paralegal personnel are acting as a state notary. If so, annotate on the AIRS checklist. The inspector should also inquire and annotate on the AIRS checklist the process to execute a state notary.*

091 10 002 Are safeguards in place to address potential conflicts of interest (e.g. self-referrals) when legal assistance is provided by reserve attorneys with civilian practices in the same geographical area as the legal assistance office?

Reference  
JAGINST 5801.2A, PAR 5-1

*The inspector should determine what this process is and annotate it on the AIRS checklist.*

091 10 003 Are Paralegals and other legal assistance clerical staff providing service within authorized limits and avoiding the unauthorized practice of law?

Reference  
JAGINST 5801.2A, PAR 4-2

*The inspector should question the OIC, Legal Assistance and determine the roles that the paralegal/legal assistance clerical staff play in the day-to-day operation of the office and whether or not their roles could be viewed as the unauthorized practice of law.*

091 10 004 Are the standard services provided in accordance with the references and within the authorized scope of practice?

Reference

MCO P5800.16A, PAR 1406;

JAGISNT 5800.7E, PAR 0708 AND 0709

AND JAGINST 5801.2A, PAR 7-1, APP A

***RFI Question. The inspector should ask if there are services provided that are considered outside the scope of practice. It is also appropriate for the inspector to ask to review the legal assistance SOP and evaluate the areas of practice against those standard services authorized by the references.***

091 10 005 Is an adequate system in place to verify the eligibility of clients before they meet with an attorney?

Reference

JAGINST 5801.2A, PAR 5-1D(5)

***RFI Question. The inspector must determine what steps are in place to determine eligibility of clients and annotate this on the AIRS checklist.***

091 10 006 Are reservists provided legal assistance under appropriate circumstances?

Reference

DOD INSTRUCTION 1350.4; JAGINST 5800.7E PAR 0706

AND JAGINST 5801.2A, PAR 5-1D

***The inspector should ask the following follow on question of legal assistance personnel: "under what circumstances are reservists provided legal assistance?" It is also appropriate to ask how the legal assistance office is tracking services provided to reservists, if applicable.***

091 10 007 If services are provided to those other than active duty personnel, are priorities established by category of beneficiary, and/or type of service?

Reference

JAGINST 5801.2A, PAR 5-1D

***The inspector should determine what, if any, steps are in place and annotate on the AIRS checklist.***

091 10 008 Are all legal assistance services provided by or under the supervision of a legal assistance attorney?

Reference

JAGINST 5801.2A, PAR 4

***Yes/No Question. The inspector must verify with the OIC, Legal Assistance that this is occurring.***



091 10 009 Are will executions properly conducted? E.g. are mass will executions avoided? Are witnesses of requisite age and not otherwise disqualified to be witnesses?

Reference

JAGINST 5801.2A, PAR 7-2

*The inspector must answer each question individually on the AIRS checklist. The inspector should ask legal assistance personnel what are disqualifiers for being a witness.*

091 10 010 Are wills prepared in accordance with the reference?

Reference

JAGINST 5801.2A, PAR 7-2

*RFI Question. The inspector should annotate the process the legal assistance office uses in preparing wills. It is appropriate for the inspector to determine if the DL Wills program is being used or not. If not, the inspector should annotate what process is in place.*

091 10 011 Does the office provide basic testamentary trusts (available utilizing the DL Wills program) as part of its basic wills service?  
Does the office decline to prepare and/or manage inter vivos trusts?

Reference

JAGINST 5801.2A, PAR 7-2

*RFI Question. Yes/No.*

091 10 012 Are living wills prepared using the DL Wills software?

Reference

JAGINST 5801.2A PAR 7-2

*RFI Question. If no, determine how they are being prepared and annotate on the AIRS checklist.*

091 10 013 Are dissolution services normally limited to attorney advice and preparation of separation agreements and divorce pleadings?

Reference

JAGINST 5801.2A, PAR 7-2

*RFI Question. If more is being conducted, the inspector should annotate what additional service is being provided.*

091 10 014 Do military powers of attorney include the Military Power of Attorney prefatory language specified by 10 U.S. Code § 1044b?

Reference

JAGINST 5801.2A, PAR 7-2

*The inspector should review the POA templates that are prepared by the legal assistance office to determine if the appropriate language is included.*

091 10 015 Where an Expanded Legal Assistance Program (ELAP) is in operation, has the program obtained necessary approvals?

Reference

JAGINST 5800.7E, PAR 0710

*The inspector must determine if ELAP is in operation and either view the approvals or determine via discussion with the OIC that approval was granted.*

091 10 016 Does the office offer a regular program of pre-deployment briefings and review of personal legal affairs for deploying commands?

Reference

JAGINST 5801.2A, PAR 6-1

*RFI Question. The inspector should determine the process in place and annotate on the AIRS checklist. The inspector should also determine the number of briefs and personnel supported over the past 12 months.*

091 10 017 Is there a Preventive Law/Legal Awareness Program in effect?

Reference

JAGINST 5800.7E, PAR 0712; MCO P5800.16A, CHAP 14

*Yes/No question. The inspector should also detail what services are provided in the program.*

091 10 018 Are all personnel, including temporary and limited duty assistants, trained in the necessity of maintaining confidentiality of client information and files?

Reference

JAGINST 5803.1C PAR 4D

*The inspector should ask paralegal/military clerks their understanding of maintaining confidentiality of client information and files. It is also appropriate for the inspector to ask each individual what type of training/counseling was provided to them identifying this requirement.*

091 10 019 Are client files adequately stored and safeguarded to protect client confidences?

Reference

JAGINST 5801.2A, PAR 5-1G

*Yes/No Question. The inspector should detail how the files are safeguarded and annotate on the AIRS checklist.*

091 10 020 Is there a system in effect to identify and preclude prohibited representation of parties with conflicting interests by attorneys in the same legal assistance office? Are potential conflicts identified in domestic relations and non-domestic relations cases?

Reference

JAGINST 5801.2A, PAR 5-1E

*The inspector should determine what system is in place to ensure conflict does not occur (include software program name). The inspector should also determine if any conflicts have occurred in the past 12-months, how the conflict was discovered and whether or not the legal assistance office has, over the past 12-months, provided service that was not properly deconflicted.*

091 10 021 Are procedures established to guide referrals of conflicted persons to other sources of assistance?

Reference

JAGINST 5801.2A, PAR 5-1E

*The inspector should identify the procedures used by the respective legal assistance office. If there is no set procedure, the inspector should annotate on the AIRS checklist.*

091 10 022 Has the office attempted to identify adequate other sources of free legal assistance (including other-service providers) to which referrals may be made in appropriate cases?

Reference

JAGINST 5801.2A, PAR 5-1

*Yes/No Question. The inspector should also identify what the other sources are and annotate on the AIRS checklist.*

091 10 023 To prevent conferring improper preferential treatment, does the supervisory attorney ensure that referrals are not made to a specific attorney or to a specific law firm?

Reference

JAGINST 5801.2A, PAR 5-11(2)

*The inspector should ask to see the attorney referral list.*

091 10 024 Does the office hold, and are all personnel familiar with, the following references?

Reference

10 U.S. CODE §§ 1044, 1044A AND 1044B;

JAG MANUAL CHAP VII AND IX;

JAGINST 5801.2 (LEGAL ASSISTANCE MANUAL);

JAGINST 5803.1A (JAG PROFESSIONAL CONDUCT);

MCO P5800.16A, CHAP 14, 15 AND 16

*Self explanatory.*

091 10 025 Does correspondence contain an appropriate disclaimer, inserted as a footer at the bottom of the first page, as follows?

“This letter is written by a legal assistance attorney on behalf of an individual client, and does not represent an official position of the Department of the Navy, the United States Marine Corps, or the United States Government.”

Reference

JAGINST 5801.2A, PAR 5-1N(3)

***The inspected legal assistance office must be able to prove that this language is contained on applicable correspondence.***

091 10 026 Are adequate records of client contacts maintained in an electronic database?

Reference

JAGINST 5801.2A, PAR 5-3

***The inspector must view the database/program (include software/program name).***

091 10 027 Are required reports of legal assistance activities accurately and timely submitted to JAL?

Reference

MCO P5800.16A CHAP 14

***The inspector should identify all reports requiring submission and view the previous calendar year's submission.***

091 11 OPERATIONAL LAW “INSTRUCTION”

091 11 001 If the law center has an operational law billet, has that billet been filled?

Reference

MCO 3300.4 PAR 1A(3) AND 4C(4)

***RFI Question. The inspector must review current legal office T/O and determine if billet exists and has been or is currently being staffed. The name of the operational law attorney should be annotated on the AIRS checklist.***

091 11 002 Have all judge advocates (including SJAs) tasked with providing legal advice on operational law matters received appropriate detailed operational law and Law of War training?

Reference

MCO 3300.4 PAR 3A(2)(A)(1)(D); ENCL (5); PAR 2 AND 3

***RFI Question. The inspector must be able to verify that the judge advocates providing this advice have attended operational law/LOW training. It is appropriate for the inspector to ask for a CLE matrix or documentation that this training has occurred.***

091 11 003 Do all judge advocates tasked with providing operational law advice have adequate access to appropriate secured telecommunications (i.e., SIPRNET, STE/STU)?

Reference

MCO 3300.4 PAR 4C(5)

*The inspector should determine if the office has a designated SIPR room, vault, and file retention area for classified material. If the office does not have a SIPR room, determine how the judge advocates access secure communications.*

091 11 004 Is there a program in place to ensure that appropriate follow-on and specialized training is being conducted and incorporated into training exercises at all operational levels for all Marines in supported units?

Reference

MCO 3300.4 PAR 3A(2)(A)(1)

*The inspector should ask this question of the OIC, SJA, or Operational Law Attorney. If the legal office is providing battalion/regimental judge advocates during deployment, it is appropriate to ask returned judge advocates what specialized training was incorporated into unit training. Annotate responses on the AIRS checklist.*

091 11 005 Does the operational law section maintain updated training material to provide necessary follow-on and specialized training for Law of War, ROE, and other operational legal training requirements?

Reference

MCO 3300.4 ENCL (3) PAR 2A(4); ENCL (4) PAR 1

*The inspector must view these materials. It is also appropriate to ask for copies of training classes (.ppt) that are being provided by the operational law judge advocate.*

091 12 BUDGET "INSTRUCTION"

091 12 001 Does the office have the adequate means of identifying the status of TAD funds and the remaining requirements for the current fiscal year?

Reference

MCO 7300.21A (RFI)

*RFI Question. The inspector should discuss this with the LAO or SNCO most responsible for tracking the budget. The inspector should ask for a current printout of funds available and review the current year budget file.*

091 12 002 Are fiscal transactions pending over thirty days reflected in official accounting reports and are they being researched to determine the validity of the document?

Reference

NAVCOMPT MANUAL, VOL 3

*This question is somewhat outside the functional area of legal and should be viewed as an RFI. The inspector, through the inspected unit, can request from the comptroller or controlling agency, information related to outstanding commitments to determine if the legal office has taken steps to determine the validity of the document/expenditure.*

091 12 003 Does the LSSS/Law Center have a process in place for validating/reconciling expenditures in accordance with the reference?  
Reference  
NAVCOMPT MANUAL, PAR 073300

*RFI Question. The inspector must determine the process in place and annotate on the AIRS checklist. If there is no process, so state.*

091 13 LAW LIBRARY/ONLINE RESEARCH

091 13 001 Does the Law Center/LSSS have a Library Manager designated in writing?  
Reference  
MCO P5800.16A CHAP 17 PAR 17004

*The inspector should review written designation letter.*

091 13 002 Does the Library Manager have the most recent list of required research materials?  
Reference  
MCO P5800.16A CHAP 17 PAR 17005; JAD LIBRARY SPREADSHEET

*The inspector should review chapter 17, MCO P5800.16A and have a copy of the JAD spreadsheet for that office prior to inspecting. The inspector should take the time to also discuss shortfalls or perceived problems with the current list (not enough books, wrong type of book for the mission conducted in the respective law office, etc....).*

091 13 003 Have all required updates been inserted, and shelved in the appropriate reference?  
Reference  
MCO P5800.16A CHAP 17 PAR 17004

*The inspector should review all books and ensure that pocket parts are all up to date. If out of date, the designated library manager should be able to provide documentation identifying that the updates are on order pending shipment (both Lexis and West provide invoices identifying pending updates for each legal office).*

091 13 004 Has the annual inventory been completed on time and is it accurate?  
Reference  
MCO P5800.16A CHAP 17 PAR 17004

*The inspector should request a copy of the most recent inventory for inclusion in the final report. If an inventory has not been conducted, so state.*

091 13 005 Does the Library Manager have an up-to-date listing of all personnel with access to online computer assisted legal research?

Reference

MCO P5800.16A CHAP 17 PAR 17004 AND 17009

*The inspector should ask for a copy of the West Law user listing and the Matthew Bender (LexisNexis) user listing for inclusion in the final report.*

091 13 006 Do all appropriate personnel have access to online computer assisted legal research?

Reference

MCO P5800.16A CHAP 17 PAR 17004 AND 17009

*RFI Question. The inspector should also determine if any personnel within the law office does not have access and the reason why they do not.*